

## REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

### Claim Status

Claims 1-3 and 5-22 are pending in this application. Claims 1-3, 6, 8-13, 15, 17-19 and 22 are rejected. Claims 5, 7, 14, 16, 20 and 21 are indicated as being allowable if rewritten in independent form to include the limitations of their base claims and any intervening claims. Claim 21 is believed to be allowable since it is an independent claim and because it includes essentially all the limitations of claim 7, its base claim and any intervening claims, which have been indicated as being allowable in the Allowable Subject Matter section of this Office Action and the April 21, 2006 Office Action.

Claims 1, 12, 13 and 15 are herein amended. Claims 14, 16-20 and 22 are herein canceled. No new matter has been added by these amendments.

### Rejections Under 35 U.S.C. § 112

Claim 13 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Examiner indicated that “the limitations ‘a data memory address’ (lines 2-3) render this claim vague and indefinite, as this term has been introduced without prior definition.”

This rejection is improper since it is the first time this limitation (e.g., a data memory address) is mentioned in claim 13 or any claim from which claim 13 depends. Therefore, this limitation does not require prior definition.

The Examiner also indicated that in the limitation "determining if the write address and the read address are the same as a data memory address", it is not clear what the result is of the "determination".

Claim 13 has been amended to include a result of the above-mentioned "determination".

For the reasons discussed above, reconsideration and withdrawal of these rejections is respectfully requested.

**Double Patenting**

Claims 1 and 12 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14 and 18 of co-pending U.S. Patent Application No. 10/811,613, commonly owned by the assignee of the instant application.

Claims 1 and 12 are rejected on the ground of nonstatutory double patenting over claims 32 and 22 of U.S. Patent No. 6,826,088, commonly owned by the assignee of the instant application.

Applicants request that the double patenting rejections be held in abeyance pending disposition of the statutory rejections and possible amendments to the claims. If at such time, the Examiner maintains the double patenting rejections, Applicants will attend to responding to same.

Accordingly, Applicants reserve the right to submit Terminal Disclaimers under 37 C.F.R. § 1.321 to obviate the double patenting rejections. The filing of Terminal Disclaimers is not intended to be, nor should it be construed as, an admission as to the merits of the rejections.

### **Rejections Under 35 U.S.C. § 102**

Claims 1-3, 8-13, 15, 17-19 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,752,260 (Liu).

Applicants respectfully acknowledge the Examiner's indication that the feature "the write operation is performed in a data memory block and a read operation is performed in a sub-memory block when access to the same sub-memory block is [not] simultaneously performed when the write address and the read address are the same" would be allowable if incorporated into the independent claims. Accordingly, Applicants have incorporated essentially all of this feature into claims 1 and 12, to place claims 1 and 12 and the claims which depend therefrom in condition for allowance.

Claim 22 is herein canceled.

### **Rejections Under 35 U.S.C. § 103**

Claim 6 is rejected under 35 U.S.C. § 102(a) as being unpatentable over Liu in view of U.S. Patent Application Publication No. 20030097529.

Claim 6 is believed to be allowable for at least the reasons discussed above for claim 1 from which it depends.

### **Dependent Claims**

Applicants have not independently addressed the rejections of all the dependent claims because Applicants submit that, in view of the amendments to the claims presented herein and, for at least similar reasons as to why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicants, however, reserve the right to address

any individual rejections of the dependent claims should such be necessary or appropriate.

**CONCLUSION**

Accordingly, Applicants submit that the claims as herein presented are allowable over the prior art of record, taken alone or in combination, and that the respective rejections be withdrawn. Applicants further submit that the application is hereby placed in condition for allowance which action is earnestly solicited.

Respectfully submitted,

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